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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,514	08/04/2003	John A. Ruvang	HENS-0131	6896
20558	7590	10/05/2005	EXAMINER	
KONNEKER & SMITH P. C. 660 NORTH CENTRAL EXPRESSWAY SUITE 230 PLANO, TX 75074			BEACH, THOMAS A	
			ART UNIT	PAPER NUMBER
			3671	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/634,514

Applicant(s)

RUVANG ET AL

Examiner

Thomas A Beach

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-11 and 15-37 is/are rejected.
- 7) ☒ Claim(s) 2,7 and 12-14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/13/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-4, 6, 9-11, 15-17, 20-22, 25-29 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruvang et al 6,108,950. Ruvang shows a connector pin assembly with a body 34 having a passage 60 longitudinally extending through an outer surface thereof and having a polygonally shaped side surface section 56a; a lock member 38 received in said passage and circumscribed by said side surface section, said lock member being rotatable relative to said body between locking and unlocking positions; and a resilient detent structure 40 carried by said lock member for rotation therewith relative to said body and being circumscribed by said side surface section, said resilient detent structure being operative to releasably retain said lock member in either of said locking and unlocking positions and being sliding engageable with and deformable by said side surface section, during rotation of said lock member relative to said body, in a manner yieldingly resisting rotation of said lock member relative to Said body from said locking to said unlocking position (figs 8-10).

As concerns claims 3-4, Ruvang shows the resilient detent structure, when said lock member is in either of said locking and unlocking positions, is complementarily

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received in said polygonally shaped slide surface section (figs 9-10) and said resilient detent 40b structure has a square configuration (fig 8a).

As concerns claim 6, Ruvang shows a retaining member 80.

As concerns claim 9-11, Ruvang shows a locking lobe 80 and driving portion 82 projecting therefrom.

As concerns claim 15, 20, 25 and 27-28, Ruvang shows the connector pin assembly is configured to be operatively inserted into aligned openings in telescoped excavating wear 26 and support members 28 to captively retain them in a telescoped relationship.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-4, 6, 8, 15-17, 19, 20-22, 24, 25-29, and 31-32 and are rejected under 35 U.S.C. 102(e) as being anticipated by Robinson et al 2003/0101627.

Robinson shows a connector pin assembly with a body 20 having a passage 70 longitudinally extending through an outer surface thereof and having a polygonally shaped side surface section 72/75; a lock member 18 received in said passage and circumscribed by said side surface section, said lock member being rotatable relative to said body between locking and unlocking positions; and a resilient detent structure 58 carried by said lock member for rotation therewith relative to said body and being circumscribed by said side surface section, said resilient detent structure being

operative to releasably retain said lock member in either of said locking and unlocking positions and being sliding engageable with and deformable by said side surface section, during rotation of said lock member relative to said body, in a manner yieldingly resisting rotation of said lock member relative to Said body from said locking to said unlocking position (fig. 6-7).

As concerns claims 3-4, Robinson shows the resilient detent structure, when said lock member is in either of said locking and unlocking positions, is complementarily received in said polygonally shaped slide surface section (figs 9-10) and said resilient detent 58 structure has a square configuration (fig 4).

As concerns claim 6, Robinson shows a retaining member 112.

As concerns claims 8, 19, 24 and 31, Robinson shows the body 20 having parallel surface.

As concerns claims 15, 20, 25 and 27-28, Robinson shows the connector pin assembly 15 is configured to be operatively inserted into aligned openings in telescoped excavating wear 14 and support members 12 to captively retain them in a telescoped relationship.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 18, 23 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruvang et al 6,108,950 in view of Robinson et al 5,983,534. However, Robinson shows a similar connector pin having a lock member and resilient member that includes a polygonally shaped side surface section that is square (fig 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ruvang, as taught by Robinson, to include a square section to increase the frictional retainment of the resilient member by compressing it more with a square geometry than that of rounded geometry.

Allowable Subject Matter

6. Claims 2, 7, and 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas A. Beach

September 28, 2005

THOMAS A. BEACH
Patent Examiner
Group 3600



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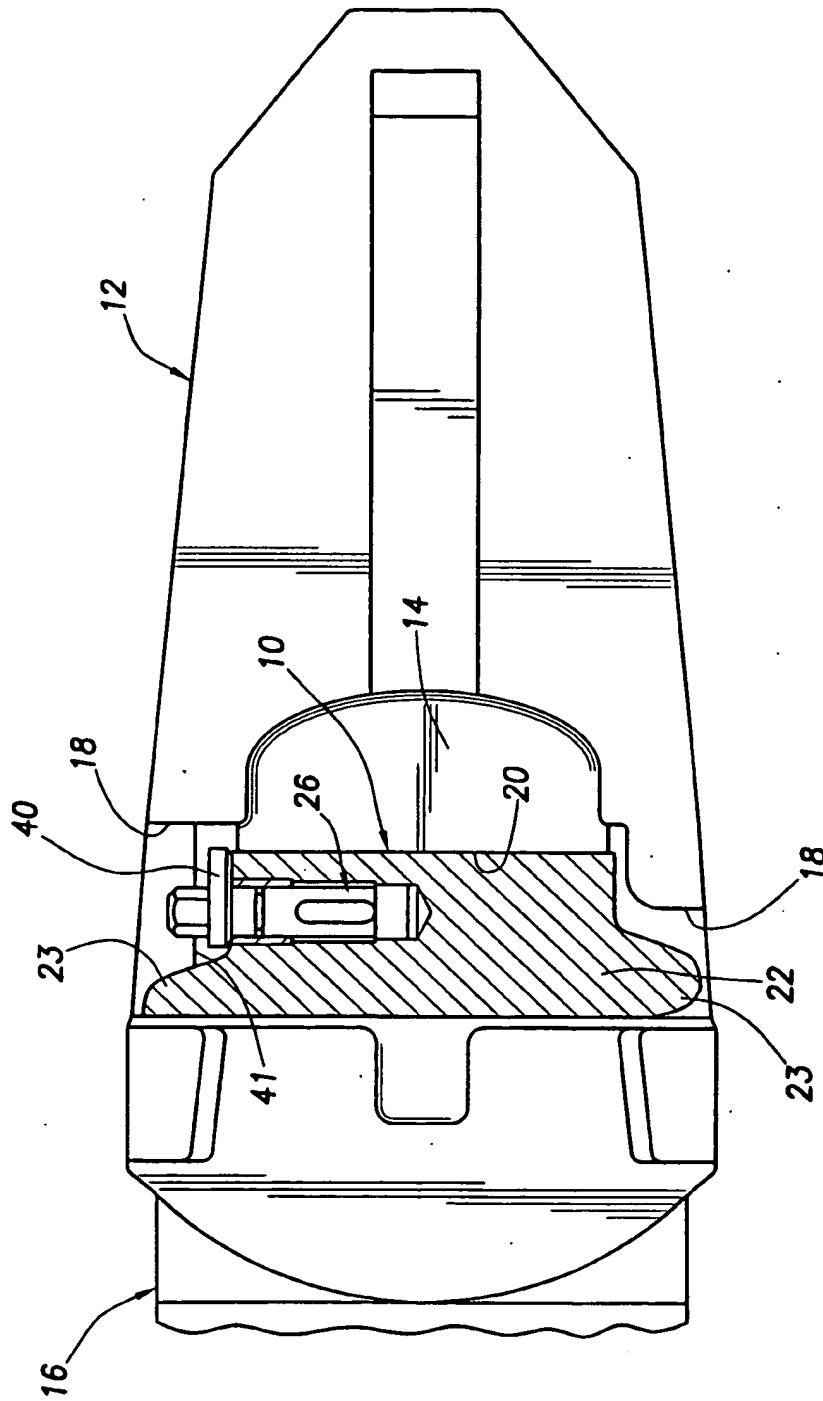


FIG. 1